

APPEAL NO. 040565
FILED MAY 3, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on January 27, 2004, with the record closing on February 3, 2004. The hearing officer resolved the disputed issues by deciding that the respondent (claimant) did not sustain a compensable injury; that the date of injury for both the right and left carpal tunnel syndrome (CTS) is _____; that the claimant's left CTS was not sustained in the course and scope of employment; that the appellant (carrier) is relieved from liability for the right CTS because of the claimant's failure to timely notify his employer pursuant to Section 409.001; and that because the claimant did not sustain a compensable injury, the claimant did not have disability. The carrier filed a conditional appeal of Finding of Fact No. 4, which stated that, "On _____, in regard to his right [CTS], the claimant was injured in the course and scope of employment." The appeal file does not contain a response to the carrier's conditional appeal from the claimant. In addition, the claimant did not appeal the hearing officer's decision.

DECISION

The hearing officer's decision and order have become final. Section 410.169.

In its appeal, the carrier requested review of Finding of Fact No. 4 "in the event the claimant requests review of any of the issues in this case that were decided in favor of the carrier." The claimant did not appeal the hearing officer's decision and order. Accordingly, we dismiss the carrier's conditional appeal.

Thus, by operation of Section 410.169, the hearing officer's decision and order have become final.

The true corporate name of the insurance carrier is **TRAVELERS INDEMNITY COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Margaret L. Turner
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Edward Vilano
Appeals Judge